

**REMARKS**

On page 4 of the Office Action, claims 9 and 10 are rejected under 35 U.S.C. 103(a) as obvious over Kato et al (US Publication No. 2005/0048011).

In supplement to the arguments presented previously in response to this rejection, Applicants note that the Kato et al reference is potentially prior art under only 35 U.S.C. 102(e), so the obviousness rejection can be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art for purposes of an obviousness rejection.

Further, Applicants state that the presently claimed invention and Kato et al (US Publication No. 2005/0048011) were, at the time the presently claimed invention was made, subject to an obligation of assignment to Showa Denko K.K.

Accordingly, Applicants submit that the obviousness rejection over Kato et al is overcome because Kato et al is not prior art for purposes of obviousness per 35 U.S.C. 103(c), and thus withdrawal of this rejection is respectfully requested.

**Conclusion**

In view of the above and the amendment and argument filed December 19, 2008, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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WASHINGTON OFFICE

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